

IA No. GA 1 of 2022
APOT No. 852 of 1998
with
CS No. 311 of 1997
IN THE HIGH COURT AT CALCUTTA
In appeal from its
ORDINARY ORIGINAL CIVIL JURISDICTION
CIVIL APPELLATE JURISDICTION

Tarkeshwar Prasad Singh
Versus
Shree Hanuman Foundries Ltd.

Before:
The Hon'ble Justice I. P. MUKERJI
And
The Hon'ble Justice ANIRUDDHA ROY
Date: 6th April 2022

Appearance:
Mr. Debdut Mukherjee Advocate
Mr. Tapan Sil, Advocate
for the appellant

Mr. Anirban Kar, Advocate
Ms. Suveni Banerjee, Advocate
for the Receiver

Mr. Mohit Gupta, Advocate
for defendant no.4

Mr. Aninda Bhattacharya, Advocate
for the O/L

The Court: By this application the Receiver appointed by this court seeks discharge. He has been acting in this capacity for several years. He is a very respectable member of the Bar, now nearing 80 years of age and apprehensive of deteriorating health.

We have heard learned counsel for all the appearing parties. They have acknowledged the work the Receiver has done in implementation of the orders of this court and have no objection to his discharge. We are told that from the time of his appointment he has not received any remuneration. We award him Rs. 5,00,000/- as remuneration.

We are also told that the Receiver holds term deposit receipts issued by State Bank of India, Kolkata High Court SPB Branch and

Standard Chartered Bank, Church Lane Branch, as mentioned in paragraph 8 of the petition.

The term deposit with State Bank of India which is due to expire in August, 2022 may be encashed by the Receiver and his remuneration of Rs. 5,00,000/- deducted from the proceeds. Thereafter the rest of the amount shall be reinvested by him with the same bank in a similar term deposit.

Thereafter the Receiver shall hand over all these fixed deposit receipts to the learned Registrar, Original Side within a week from the above reinvestment.

The learned Registrar shall thereafter approach the respective banks to convert the term deposits in his name to be held by him to the credit of the suit on the same terms as were held by the outgoing Receiver.

After substitution of the name of the learned Registrar takes place the Receiver shall stand discharged. He shall circulate a short statement of account to the parties. Formal filing of accounts by the Receiver is dispensed with.

The application (IA No. GA 1 of 2022) is disposed of.

(I. P. MUKERJI, J)

(ANIRUDDHA ROY, J.)